

# EXHIBIT A

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NISSAN NORTH AMERICA, INC.,

Plaintiff,

Case No. 2:09-cv-11783-ADT-MKM

v.

Hon. Anna Diggs Taylor

Hon. Magistrate Judge Mona K. Majzoub

JOHNSON ELECTRIC NORTH AMERICA,  
INC.,

Defendant.

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**DECLARATION OF SEAN P. CAVANAUGH IN SUPPORT OF  
NISSAN'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL**

I, Sean P. Cavanaugh, declare under penalty of perjury, the following:

1. I am a senior engineer employed by Nissan Technical Center North America, Inc. I specialize in HVAC (Heating, Ventilation and Air Conditioning) and thermal engineering at Nissan. My engineering designation or grade at Nissan is level 4.

2. I make this declaration in support of Nissan's Response to Defendant Johnson Electric North America, Inc.'s ("JENA's") Third Motion to Compel and for Sanctions and have personal knowledge of the facts stated herein.

3. During my employment at Nissan I have had engineering responsibility for the air conditioner condenser fan motors and fan motor assemblies at issue in this case with respect to the subject vehicles which are model year 2004-2006 Nissan Titan, Nissan Armada, and Infiniti QX56 vehicles. I am also generally familiar with these vehicles, which are known internally at Nissan by the vehicle line or platform designation "X61A."

4. Nissan Titan is a truck and Nissan Armada and Infiniti QX56 are SUVs.

5. During my employment at Nissan I have also had engineering responsibility for the air conditioner condenser fan motors and fan motor assemblies with respect to Nissan Frontier, Xterra, and Pathfinder vehicles. I am also generally familiar with these vehicles, which are known internally at Nissan by the vehicle line or platform designation "X61B."

6. The Frontier is a truck and the Xterra and Pathfinder are SUVs.

7. Generally speaking, the X61B vehicles are similar but smaller versions of the trucks and SUVs that comprise the subject vehicles or X61A vehicles at issue in this case.

8. The X61A and X61B vehicles have similar HVAC systems. In fact, the eight cylinder engine utilized in X61B vehicles is the same eight cylinder engine utilized in the subject or X61A vehicles.

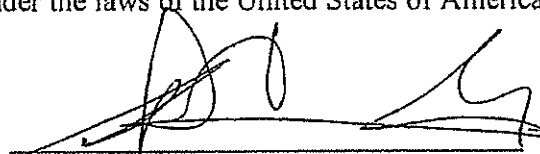
9. I requested and obtained from Nissan supplier CalsonicKansei test results for X61B vehicles. It is my understanding these test results were produced to JENA in this matter under the stipulated protective order.

10. The test results from CalsonicKansei address tests that were performed under the same Nissan test specification, known as a Nissan Design Specification or NDS, at issue in this case, namely NDS 21481NDS00.

11. Although the test results are dated July 2, 2010, I was advised by CalsonicKansei that the testing was conducted earlier and relates to X61B vehicles. I was also advised by CalsonicKansei that the original test results are written in Japanese. CalsonicKansei translated the test results and produced them in the reported dated July 2, 2010

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: December 3, 2010

  
Sean P. Cavanaugh